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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Samly Milavong,

Plaintiff,

vs.

Martin O'Malley, Commissioner of
Social Security¹,

Defendant.

Case No. 1:24-cv-00278-JLT-BAM

STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 30-day extension of time, from June 5, 2024 to

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

July 5, 2024, for Plaintiff to serve on defendant with PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Plaintiff respectfully states that the requested extension is necessary due several merit briefs being due on the same week. For the week of June 3, 2024 and June 10, 2024 Counsel has four Merit briefs and two EAJA Stipulations due. Counsel requires additional time to brief the issues thoroughly for the Court's consideration. Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: June 4, 2024 PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Dolly M. Trompeter
DOLLY M. TROMPETER
Attorneys for Plaintiff

Dated: June 4, 2024 PHILLIP A. TALBERT
United States Attorney
MATTHEW W. PILE
Associate General Counsel
Office of Program Litigation, Office 7

By: */s/ Franco L. Becia
Franco L. Becia
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on June 4, 2024)

ORDER

Pursuant to the parties' stipulation, and cause appearing, Plaintiff's request for an extension of time to file and serve a Motion for Summary Judgment is GRANTED. Plaintiff shall file a Motion for Summary Judgment on or before **July 8, 2024**.² All other deadlines in the Court's Scheduling Order are modified accordingly.

IT IS SO ORDERED.

Dated: **June 5, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE

² The Court is closed on July 5, 2024, the date proposed for filing the Motion for Summary Judgment.